

**WESTFIELD / WASHINGTON
ADVISORY PLAN COMMISSION**

Petition Number	0712-REZ-06
Approximate Address	4005 Westfield Road
Petitioner	Indiana Members Credit Union
Request	Change in zoning from the GO District to the GB District
Current Zoning	GO
Approximate Acreage	5.5 Acres

Site History	0603-DP-03	Development Plan for existing bank
	0603-SIT-02	Site Plan for existing bank

Exhibits

- 1) WCD Staff Report, 01/28/08
- 2) Written Commitments, 01/17/08
- 3) Petitioner's Exhibits, 11/14/07

PETITION HISTORY – JANUARY 28, 2008

The January 28, 2008 appearance of this petition before the Westfield / Washington Advisory Plan Commission represents the first appearance of this petition before the APC.

This petition appeared before the Westfield Town Council for initial consideration at the December 10, 2007 Town Council meeting and was forwarded to the APC for a public hearing.

PROCEDURAL

- Changes in zoning petitions are required to have a public hearing. Legal notice has been provided for the required public hearing for the January 28, 2008 Advisory Plan Commission meeting in accordance with all applicable statutes.
- The APC has the option to recommend approval, recommend approval with proposed changes or conditions, recommend denial, or refer this request to the APC Workshop Meeting, tentatively scheduled for February 4, 2008, for further consideration if deemed necessary.

REQUEST

The proposed change in zoning would provide for the inclusion of the subject site within the General Business (GB) District, which would allow for the development of the subject site as a commercial integrated center.

INTRODUCTION

The request concerns an area of land generally located to the south and east of where

Shady Nook Road terminates at State Road 32. The subject site is comprised of one parcel and consists of approximately 5.5 acres.

The subject site is located within the GO District. The subject site is improved with a bank facility, Indiana Members Credit Union (0603-DP-03), which was approved for development on June 26, 2006.

The subject site abuts the public right-of-way of State Road 32 to the north. Access to the subject site is provided by a single access point from the south side of the State Road 32 right-of-way. The subject site also abuts the future Midland Trace Trail to the south.

Property abutting the subject site to the north and east is zoned General Office (GO). The property abutting the subject site to the north is improved with single-family dwellings. The property abutting the subject site to the east is unimproved, and is used agriculturally. Property abutting the subject site to the south is zoned SF-3, and is improved with the Crestview subdivision. Property abutting the subject site to the west is zoned Local Business - Planned Development (LB-PD), is unimproved, and is occupied by a dense stand of mature trees.

PUBLIC POLICIES

Comprehensive Plan

The Land Use Concept Map of the Amended Westfield-Washington Township 2020 Plan identifies the subject site as located in a “Local Commercial” area (pg. 23). The Comprehensive Plan states that local commercial development should be located “only in planned centers and only on streets classified as arterials...” (pg. 47). It further identifies community and local retail, offices and services as appropriate land uses in the Local Commercial area (pg. 47).

Thoroughfare Plan

The current Westfield Thoroughfare Plan roadway classification map (pg. 4-20, Figure 4-7) identifies State Road 32 as “Primary Arterial 1”, and recommends a minimum seventy-five (75) foot half right-of-way. Dedication of right-of-way in accordance with the recommendations of the Thoroughfare Plan should be required should the requested change in zoning be approved.

The current Westfield Thoroughfare Plan identifies the subject property to be within the East SR 32 Pedestrian Corridor (pg. 4-19, Figure 4.6). The Pedestrian Corridor encompasses the Midland Trace Trail. The Thoroughfare Plan states that “commitments for pedestrian scale structures and architecture, character, and amenities should be pursued in change-in-zoning situations...” (pg. 4-13). Should the requested change in zoning be approved, a commitment to dedicate the portion of the Midland that traverses the subject site to the City and construct (or cause the construction of) that portion of the Midland should be required.

Parks and Recreation Master Plan

The Parks and Recreation Master Plan identifies a development goal to “finalize plans for... [the] Midland Trail and begin construction [on the trail]” (pg. 15). Should the requested change in zoning be approved, a commitment to dedicate the portion of the Midland that traverses the subject site to the City and construct (or cause the construction of) that portion of the Midland should be required.

Water and Sewer

The Westfield Water Master Plan depicts the subject site as served by an existing water line on the north side of SR 32. The Westfield Water Master Plan does not identify any proposed future water main expansion within or abutting the subject site.

The Westfield Sewer Master Plan depicts the subject site as served by an existing sewer line on the north side of SR 32 at the southwest corner of the intersection of 161st Street and Springmill Road. The Westfield Sewer Master Plan identifies this segment of the sewer network to be upgraded to a force main in the future.

Annexation

The subject site is within the corporate limits.

TECHNICAL REVIEW

This petition was reviewed by the Technical Advisory Committee at the November 28, 2007 TAC meeting. Comments received from agencies in attendance will be provided as a component of any future report to the Westfield City Council.

INDIANA CODE

IC 36-7-4-603 states that reasonable regard shall be paid to:

1. The Comprehensive Plan.

The Land Use Concept Map of the Amended Westfield-Washington Township 2020 Plan identifies the subject site as located in a “Local Commercial” area (pg. 23). The Comprehensive Plan states that local commercial development should be located “only in planned centers and only on streets classified as arterials...” (pg. 47). It further identifies community and local retail, offices and services as appropriate land uses in the Local Commercial area (pg. 47).

2. Current conditions and the character of current structures and uses.

The subject property is currently improved with a drive-thru banking facility and associated parking areas. Neighboring properties to the north and south are improved with single-family residential structures. Neighboring property to the east is used agriculturally, and neighboring property to the west is occupied by a dense stand of mature trees.

3. The most desirable use for which the land is adapted.

The subject property is currently being used non-residentially. Given the community's stated desire to see commercial development along the State Road 32 corridor, the proposed change in zoning would allow for a broader range of non-residential uses than the current zoning would allow.

4. The conservation of property values throughout the jurisdiction.

This proposed change is expected to have neutral or positive impacts on property values within the vicinity and jurisdiction.

5. Responsible growth and development.

The subject property is partially developed and is wholly within the corporate limits of Westfield. It is contiguous to other development to the north and south, and further development of the subject site would be consistent with the principle of contiguous growth. City services such as water, sewer, and emergency services already exist on the subject property.

COMMITMENTS

Indiana Code 36-7-4, 600 Series allows communities to gain "commitments" from developers through the rezoning process. These commitments are voluntary on the part of the land owner and must be recommended by the APC and approved by the City Council. The submitted petition includes a separate list of written commitments that can be found in Exhibit 2. Westfield Staff has reviewed and agrees with the attached written commitments.

RECOMMENDATION

Issue a positive recommendation to the Westfield City Council.

ALTERNATE RECOMMENDATION

Forward this petition to the APC Workshop Meeting, tentatively scheduled for February 4, 2008, for further consideration.

KMT

COMMITMENTS CONCERNING THE USE AND DEVELOPMENT OF REAL ESTATE

Indiana Members Credit Union (the "Developer") or its Assigns, makes the following commitments to the Westfield City Council and Westfield-Washington Plan Commission (collectively, the "City") regarding the use and development of the following described real estate located in Hamilton County, Indiana:

Section 1. Description of Real Estate:

See attached Exhibit "A" (hereinafter, the "Real Estate").

Section 2. Docket No.: 0712-REZ-06

Section 3. Statement of Commitments:

A. Building Elevations and Facades.

- (1) All buildings constructed on the Real Estate shall include a minimum of eight (8) exterior corners per 6,000 square feet of gross floor area;
- (2) All buildings constructed on the Real Estate shall include similar roof lines and pitches as that of the Indiana Members Credit Union structure.

B. Pedestrian and Bicycle Facilities.

- (1) In order to provide for construction of the Midland Trace Trail (the "Trail"), the Developer shall take the following actions:
 - i. Quitclaim to the City the portion of the Real Estate formerly part of the railroad right-of-way (the "Trail Property");
 - ii. Install (the "Installation Option"), or cause the installation of, the Trail to the City's specifications, OR pay (the "Payment Option") \$75 per linear foot to the City for the cost (the "Construction Costs") of constructing the portion of the Trail to be built on the Trail Property;
 - iii. If the Installation Option is selected, quitclaiming of the Trail Property shall occur prior to approval of a Development Plan application on the Real Estate (as defined in WC 16.04.165) and the Trail shall be installed at the time of development of the Real Estate;
 - iv. If the Payment Option is selected, payment of the Construction Costs and quitclaiming of the Trail Property shall occur prior to the approval of a Development Plan application on the Real Estate (as defined in WC 16.04.165).

C. Site Amenities and Improvements.

- (1) Crosswalks within paved parking areas and abutting internal drives shall be articulated by color or texture change;
- (2) One (1) bicycle parking space for 2,500 square feet of commercial space (office or retail) shall be provided on the Real Estate;

- i. Bicycle parking shall be provided within six hundred (600) feet from the main entrance of the building served;
- ii. Bicycle parking spaces shall include a fixed and permanent structure, frame, rack, or other permanent facility for locking and securing parked bicycles.

D. Site Access and Circulation.

- (1) An access easement traversing the property east to west shall be located south of the northern outlot, as depicted on the attached concept plan;
- (2) Such easement shall be recorded with the Hamilton County Recorder's Office prior to receiving a Certificate of Occupancy.

Section 4. Binding Effect

- A. These commitments are binding upon the Developer, each subsequent owner of the Real Estate and each other person acquiring an interest in the Real Estate, unless modified or terminated.
- B. These commitments may be modified or terminated only by a majority decision of the Westfield City Council.

Section 5. Effective Date

The commitments contained herein shall be effective upon adoption of an ordinance by the City Council of Westfield, Indiana assigning the requested GB zoning district classification to the Real Estate identified in Docket No. 0712-REZ-06.

Section 6. Recording

The undersigned hereby authorizes the City to record these commitments in the Office of the Recorder of Hamilton County, Indiana.

Section 7. Enforcement

These commitments may be enforced by the City Council of Westfield, Indiana.

IN WITNESS WHEREOF, Indiana Members Credit Union, has caused this commitment to be executed as of the _____ day of _____, 2008.

By: _____,
Indiana Members Credit Union

INDIANA MEMBERS CREDIT UNION

SUMMARY OF PROPOSED WESTFIELD PROPERTY CHANGE

Indiana Members Credit Union (IMCU) has built a credit union branch on State Road 32 east of the town of Westfield at 4002 Westfield Road. IMCU is the second largest credit union in the State of Indiana with 18 branches in central Indiana. The IMCU branch covers 2.0 acres of the 5.5 acre site. IMCU desires to sell the remaining acreage for General Office use and in order to do so needs to have the entire 5.5 acre site designated as an nonresidential center, small.

Westfield zoning ordinance states that lots in the GO district must be at least 3 acres. So, in order to avoid being in violation of this rule the site also needs to be rezoned from GO to GB which has no lot size restriction. Also, by having an integrated center designation the general office(s) on the out lot behind the credit union would have the opportunity to be included on a sign along State Road 32.

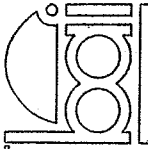
Indiana Members Credit Union wishes to thank the Westfield Community Development Department for their help in this process and the credit union hopes to continue to be a valuable asset and addition to the Westfield community.

Exhibit B

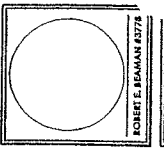
Legal Description

Part of the Northeast Quarter of Section 5, Township 18 North, Range 04 East of the Second Principal Meridian, Washington Township, Hamilton County, Indiana, being more particularly described as follows:

Commencing at an iron pin marking the Southwest corner of the Southeast Quarter of Section 32, Township 19 North, Range 04 East; thence on the South line of said Quarter Section, South $89^{\circ}47'02''$ East (assumed bearing) a distance of 114.51 feet (calculated from government record calls) to the Northwest corner of the Northeast Quarter of Section 5, Township 18 North Range 04 East and the POINT OF BEGINNING of the herein described real estate; thence continuing on the North line of said Section 5, South $89^{\circ}47'02''$ East 258.08 feet; thence parallel with the West line of the Northeast Quarter of said Section 5, South $00^{\circ}32'57''$ West 993.59 feet to a point which lies 25.00 feet South, by perpendicular measurement, of the former northerly right-of-way line of the Central Indiana Railroad Company (now abandoned); thence North $88^{\circ}57'16''$ West, parallel with said northerly right-of-way line, 119.99 feet; thence North $00^{\circ}32'57''$ East 25.00 feet to the Southeast corner of land described in a deed to Lyman Brooks, as recorded in Instrument Number 9609644704 in the Office of the Recorder of Hamilton County, Indiana; thence on and along the South line of said Brooks land, also being the northerly right-of-way line of said railroad the following two (2) courses: 1) North $88^{\circ}57'16''$ West 87.55 feet to a point in the West line of said Northeast Quarter Section; 2) continuing North $88^{\circ}57'16''$ West 50.53 feet to the Southwest corner of said Brooks land; thence on the West line of said Brooks, North $00^{\circ}32'55''$ East 964.85 feet to the Point of Beginning; containing a gross area of 5.796 acres, more or less, and a net area, less the State Road #32 right-of-way, of 5.500 acres, more or less; subject to rights-of-way, easements and restrictions.



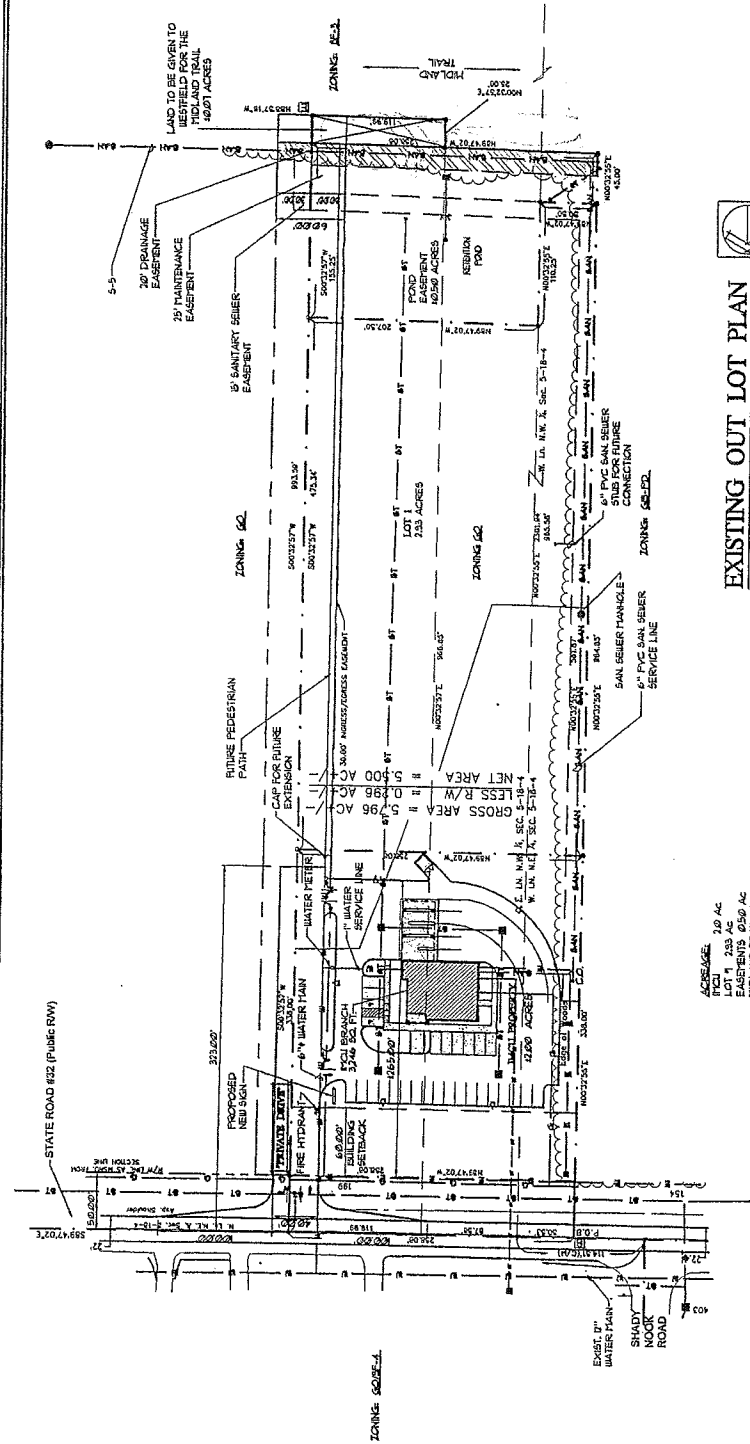
Robert E. Branan & Associates, Inc.
Professional Engineers
5105 Madison Avenue
Indianapolis, IN 46227
(317) 783-2943 (317) 784-5100



PROJECT NO.: 0016
DRAWN BY: R.E.B.
DATE: NOVEMBER 1981, 2007
REVISION:
ROBERT E. BRANAN 43778

WESTFIELD PROPERTY (NONRESIDENTIAL CENTER - SMALL)
MEMBERS CREDIT UNION
4000 WESTFIELD ROAD WESTFIELD, INDIANA

EXISTING OUT LOT PLAN
10-S



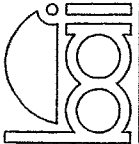
EXISTING OUT LOT PLAN

NOTE:
LAND TO BE GIVEN TO
WESTFIELD FOR THE
MIDLAND TRAIL
4.8671 ACRES

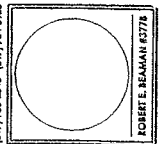
ACRESAGE: 2.0 AC
LOT 1 233 AC
EASEMENTS 65.6 AC
TOTAL 51.6 AC

LEGEND

- Deciduous Tree
- Electric Box
- Telephone Pedestal
- Metal End Section
- △ Fiber Optics Marker
- Curb Mark
- Fence Line
- Gas Line
- Storm Sewer Line
- Overhead Electric
- Buried Telephone Lines
- Water Lines
- Mail Box
- Stone Mark
- Sign
- Water Meter
- Sanitary Sewer
- Utility Pole
- Post/Column
- Guy Anchor
- Power/Utility Pole
- Water Valve
- Hand Posts
- Surface Drain



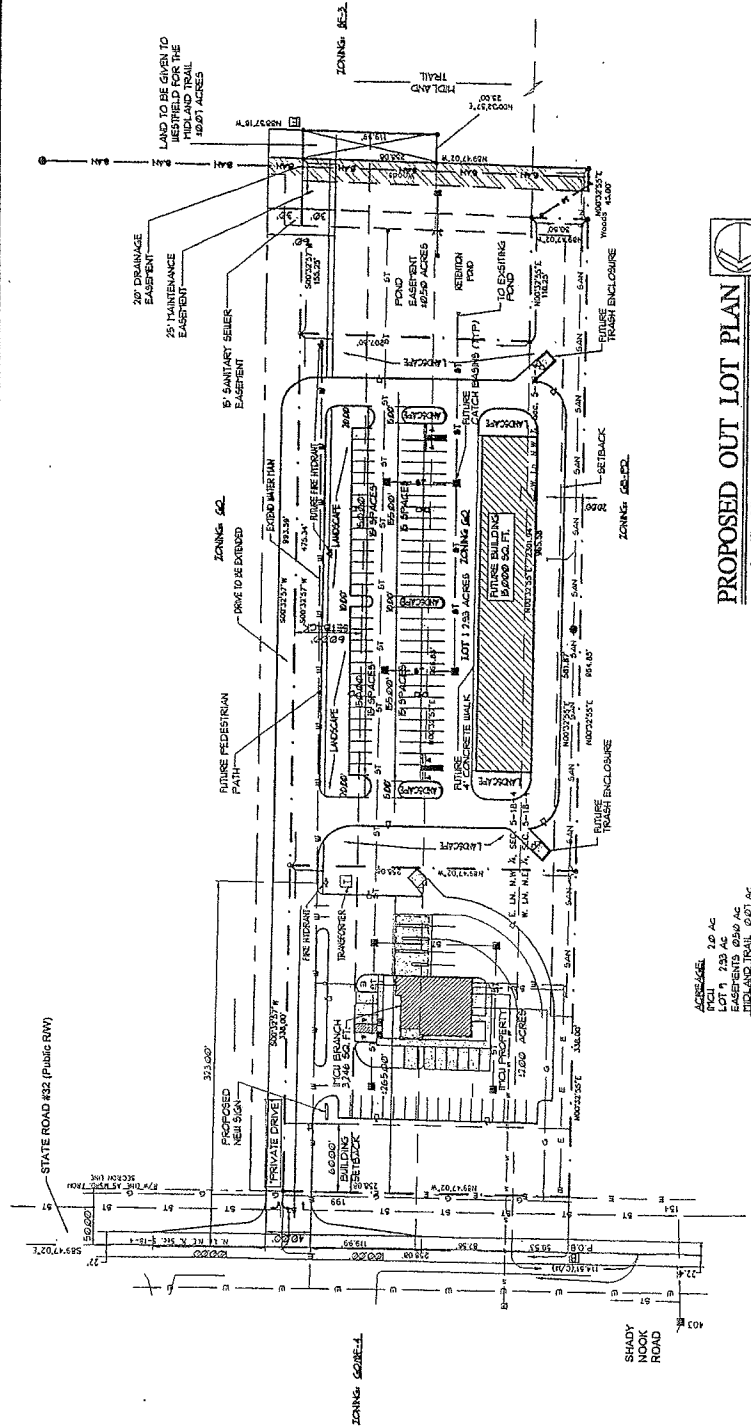
Robert E. Berman & Associates, Inc.
1500 Westfield Road, Suite 200
Westfield, Indiana 46084
(317) 784-3100



PROJECT NO. 0001
DRAWN BY: RAC
DATE: NOVEMBER 1987
BY: RAC

WESTFIELD PROPERTY (NONRESIDENTIAL CENTER - SMALL)
Members Credit Union
4005 WESTFIELD ROAD WESTFIELD, INDIANA

DETAILED OUT LOT PLAN
S-02



ACRES
LOT 1 2.5 AC
LOT 2 2.3 AC
EASEMENTS 0.25 AC
TOTAL 5.05 AC

LEGEND

- | | | | |
|---|-------------------|---|--------------------|
| • | Deciduous Tree | • | Electric Box |
| □ | Storm Inlet | □ | Telephone Pedestal |
| — | Sign | — | Retainment Wall |
| — | Water Meter | — | Future Building |
| — | Sanitary Sewer | — | Future Catch Basin |
| — | Utility Pole | — | Future Trail |
| — | Post/Boiler | — | Future Enclosure |
| — | Gas Anchor | — | Future Road |
| — | Powerability Pole | — | Future Enclosure |
| — | Water Valve | — | Future Enclosure |
| — | Head Post | — | Future Enclosure |
| — | Surface Drains | — | Future Enclosure |

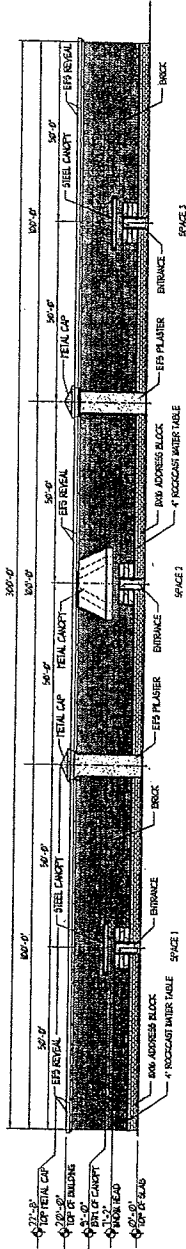
PROPOSED OUT LOT PLAN
1" = 50' 0" 25' 50' 100'

NOTE:
OWNER TO INSTALL A PEDESTRIAN
PATH AND TRAIL TO THE
PARKING LOT TO THE
TRAIL WHEN THE MIDLAND TRAIL
PROJECT IS DEVELOPED.

Beaman Associates, Inc.
Architects / Engineers
5105 Madison Avenue
Indianapolis, IN 46222
(317) 763-2343 (317) 784-5110

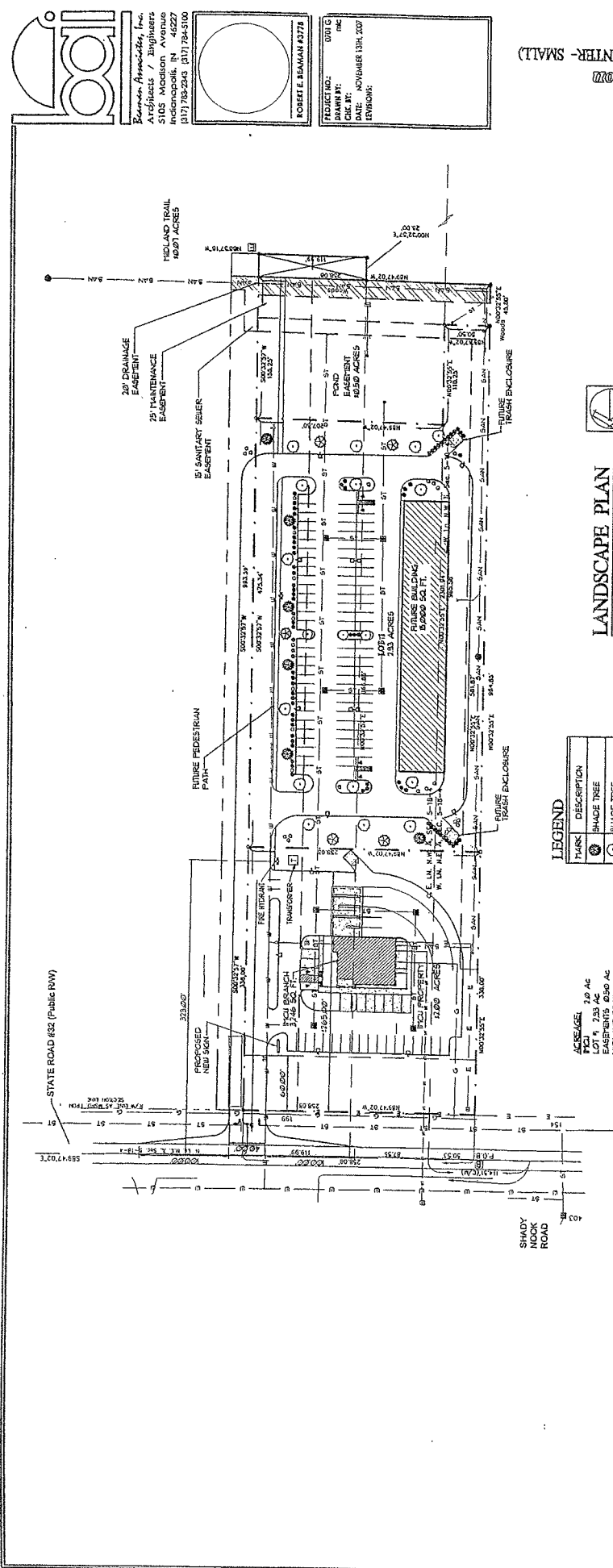
ROBERT E. BEAMAN # 3778






PROJECT NO.:
DRAWN BY:
CHK. BY:
DATE: NOVEMBER 13TH 2007
REVISIONS:



ELEVATION

SCALE : 1/8" = 1'-0"



MARK	DESCRIPTION
	SHADE TREE
	SHADE TREE
	EVERGREEN
	ORNAMENTAL
	S-ROADS

LEGEND

<u>ACREAGE</u>	
PKU	2.0 AC
LOT #	2.93 AC
EASEMENTS	0.50 AC
MIDLAND TRAIL	0.00
TOTAL	5.5 AC

LANDSCAPE PLAN



NOTE:
OWNER TO INSTALL A PEDESTRIAN
PATH FROM THE CREDIT UNION
PARKING LOT TO THE MIDLAND
TRAIL WHEN THE MIDLAND TRAIL
PROJECT IS DEVELOPED.